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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. 3:21-MJ-72026 MAG
)	
Plaintiff,)	STIPULATION TO CONTINUE PRELIMINARY
)	HEARING FROM FEBRUARY 9, 2022 TO
v.)	MARCH 11, 2022, AND TO EXCLUDE TIME
)	FROM FEBRUARY 9, 2022 THROUGH MARCH
WILMER ARTEAGA,)	11, 2022, AND [PROPOSED] ORDER
)	
Defendant.)	
)	

Counsel for the United States and counsel for defendant Wilmer Arteaga hereby stipulate as follows:

1. It is hereby stipulated that the preliminary hearing/arraignment set for February 9, 2022 be continued to March 11, 2022. The reason for the request is to permit the defense additional time to review discovery and conduct an investigation and for consideration of a resolution in this matter.

2. The parties further stipulate that the time for preliminary hearing under Fed. R. Crim. P. 5.1(c) be excluded pursuant to Fed. R. Crim. P. 5.1(d) and that time be excluded under the Speedy Trial Act from February 9, 2022 through March 11, 2022. The parties stipulate and agree that excluding the time for preliminary hearing and under the Speedy Trial Act will allow for the effective preparation of

STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
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counsel and will further the public interest in the prompt disposition of this matter by allowing the parties to potentially resolve the matter at an early stage of the proceedings. *See* 18 U.S.C. § 3161(h)(7)(B)(iv); Fed. R. Crim. P. 5.1(d). The parties further stipulate and agree that the ends of justice served by excluding the time from February 9, 2022 to March 11, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

The undersigned Assistant United States Attorney certifies that he has obtained approval from counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: February 1, 2022

/s/
Lauren M. Harding
Assistant United States Attorney

DATED: February 1, 2022

/s/
Gabriela Bischof
Counsel for Defendant Wilmer Arteaga

[PROPOSED] ORDER

The status on preliminary hearing/arraignment set for February 9, 2022 is continued to March 11, 2022.

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that failing to exclude the time from February 9, 2022 through March 11, 2022 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from February 9, 2022 to March 11, 2022 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from February 9, 2022 through March 11, 2022 shall be excluded from computation under

1 the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

2 IT IS SO ORDERED.

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4 DATED: _____

5 HON. LAUREL BEELER
6 United States District Judge
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